REMARKS

1. Office Action Summary

In the Office Action mailed January 18, 2006, the Examiner rejected claims 1-30 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0119522 (Barclay).

2. Information Disclosure Statement

Applicants note that the Examiner did not initial reference #1 on Form PTO-1449, which Applicants filed on March 11, 2004 and the Examiner attached to the Office Action mailed September 22, 2005. Applicants raised this issue in their Response to the Office Action mailed on September 22, 2005, which they filed on December 6, 2005, but the Examiner did not address this issue in the present Office Action. Accordingly, Applicants again respectfully request that the Examiner review and initial reference #1 on Form PTO-1449.

3. Claimed Invention

Applicants have cancelled claims 26-28. Now pending in this application are claims 1-25 and 29-30, of which claims 1, 22 and 29 are independent and the remainder are dependent. As recited in various ways in the claims, Applicants' invention is directed to a method and system for sending messages indicating how to carry out location-based services (e.g., location-granularity preferences) in response to requests to initiate voice calls.

By way of example, independent claim 1 recites a method comprising (i) in a client station, detecting a request to initiate a voice call, and (ii) responsive to the request, sending from the client station into a network a message indicating how to carry out a location-based service.

As another example, independent claim 22 recites a method comprising (i) receiving a request from a user to place a voice call to a given directory number, (ii) recognizing that the given directory number is associated with a particular destination party, and (iii) responsive to the request and before initiating the voice call to the given directory number, sending to the particular destination party a message indicating a location granularity preference of the user.

As a final example, independent claim 29 recites a client station comprising a processor, data storage, and program logic stored in the data storage and executable by the processor to (i) detect a request to initiate a voice call, and (ii) responsive to the request, send into a network a message indicating how to carry out a location-based service.

4.   Response to § 102 Rejections over Barclay

The Examiner rejected claims 1-30 as being anticipated by Barclay. Under M.P.E.P. § 2131, a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Applicants respectfully traverse the rejection of claims 26-28 as moot because Applicants have cancelled those claims. Further, Applicants respectfully traverse the rejection of claims 1-25 and 29-30 because Barclay fails to disclose or suggest every element of any of these claims. At a minimum, for instance, Barclay fails to teach the claimed function of sending a message indicating how to carry out a location-based service *in response to* a request to initiate a voice call, as recited in various ways in these claims.

Barclay discloses "sending a call from a calling party having a second location to a called party at a first location and providing at least one of the first location to the calling party and the second location to the called party." *See* Barclay at P0005. In Barclay, the service provider provides a customer with one or more options for (i) the granularity of received location

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information, (ii) the format of received location information, and (iii) the ability of others to access the customer's location information. *Id.* at P0011, P0016-P0018. After selecting the preferred options, the customer responsively sends the selected options to the service provider, which in turn stores the selected options with the customer profile. *Id.* at P0016-P0018, Fig. 3. The service provider then obtains the customer's selected options (e.g., location granularity, location format) from the customer profile when a call is placed to the customer, in order to provide the customer with location information (e.g., longitude and latitude, street names/addresses, etc.) according to his selected options. *Id.* at P0019-P0020, Fig. 4.

Applicants do not find in Barclay, however, the specific combination of elements recited in independent claims 1 and 29. In particular, Applicants do not find in Barclay at least the elements of (i) in a client station, detecting a request to initiate a voice call, and (ii) responsive to the request, sending from the client station into a network a message indicating how to carry out a location-based service.

At best, Barclay teaches sending a customer's selected options (e.g., location granularity, location format) to the service provider and maintaining those selected options with the customer profile. *See* Barclay at P0016-P0018. Applicants do not find in Barclay, however, any teaching of the customer's communication device sending a message indicating how to carry out a location-based service in response to detecting a request to initiate a voice call. Even assuming that the customer's selected options are "message[s] indicating how to carry out a location-based service," which Applicants do not admit, the customer's communication device in Barclay only sends the selected options in response to the customer selecting his preferred options from those provided by the service provider. *Id.* at P0016-P0018, Fig. 3. Thus, Barclay fails to teach Applicants' claimed function of sending a message indicating how to carry out a location-based service *in response to* a request to initiate a voice call.

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Additionally, Applicants also do not find in Barclay the specific combination of elements recited in independent claim 22. In particular, Applicants do not find in Barclay at least the elements of (i) receiving a request from a user to place a voice call to a given directory number, wherein the given directory number is associated with a particular destination party, and (ii) responsive to the request and before initiating the voice call to the given directory number, sending to the particular destination party a message indicating a location granularity preference of the user.

At best, Barclay teaches detecting when a calling party places a call to a called party, and providing the calling/called party with location information for the other party (e.g., longitude and latitude, street names/addresses, etc.) in accordance with the calling/called party's selected options (e.g. location granularity, etc.). Applicants do not find in Barclay, however, any teaching of sending to a particular destination party a message indicating the calling party's selected location granularity in response to the calling party's request to place a voice call. In fact, the communication system in Barclay does not send a message indicating the calling party's selected location granularity to *any party* in response to the calling party's request to place a voice call. Instead, after receiving the calling party's request to place a voice call, the communication system in Barclay may (i) send location information for the calling party to the called party in accordance with the called party's selected options, and (ii) send location information for the called party to the calling party in accordance with the calling party's selected options. Thus, Barclay fails to teach Applicants' claimed function of sending to a particular destination party a message indicating a location granularity preference of a user in response to receiving a request from the user to place a voice call to a given directory number associated with the particular destination party.

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Applicants also note that the Examiner relied solely on paragraphs 18-20 of Barclay in rejecting each and every element of claims 1-25 and 29-30 of this application. *See* Office Action at pp. 2-6. These three paragraphs of Barclay, however, do not disclose many of the elements of claims 1-25 and 29-30. *See* Barclay at P0018-P0020. For example, paragraphs 18-20 do not disclose "sending from [a] client station into a network a message indicating how to carry out a location-based service," as recited in claims 1, 5-6, 18-21, and 29. As another example, paragraphs 18-20 do not disclose "location granularity preference[s] ... stored in [a] client station," as recited in claims 6-8 and 15-16. As yet another example, paragraphs 18-20 do not disclose a "location-based application," as recited in claims 13, 23-24. Other elements of claims 1-25 and 29-30 are missing from paragraphs 18-20 of Barclay as well.
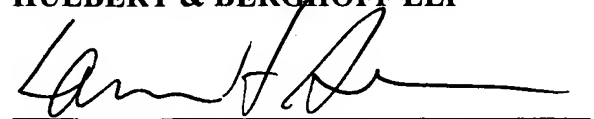
Because Barclay does not teach or suggest all of the elements recited in independent claims 1, 22, and 29, Barclay fails to anticipate these claims under § 102. Further, because each of claims 2-21, 23-25, and 30 depend from claims 1, 22, and 29 and necessarily incorporate all of the elements of claims 1, 22, and 29, Barclay also fails to anticipate claims 2-21, 23-25, and 30.

CONCLUSION

In view of the foregoing, Applicants submit that all of the pending claims are in condition for allowance, and Applicants therefore respectfully request favorable reconsideration.

Respectfully submitted,

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Dated: March 23, 2006   By: _____

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